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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4495 OF 2005**
**IN**
**FIRST APPEAL (ST.) NO.23754 OF 2004**

Narhari Raghoba @ Worlikar, Deceased, .
Thru' Bharti Narhari Worlikar & Ors. ...Applicants
V/s.
Vasudeo Raghoba Koli @ Worlikar, Deceased, .
Thru' Machiundernath V. Worlikar & Ors. ...Respondents

Mr.K.K. Tated, Advocate, for the Applicants.

Mr.K.L. Parab, Advocate, for Respondent Nos.1a, 1b & 1d to 1f.

**CORAM : ABHAY S. OKA, J.**
**DATE : 23RD NOVEMBER, 2007.**

**P.C.:**

1. Heard the learned Advocate for the applicants. Respondent No.1c, according to office noting, is duly served. The other proposed legal representatives are represented by an Advocate. None appears for the said legal representatives.

2. In view of averments made in the Civil Application, a case is made out for condonation of delay and for setting aside abatement. The Civil Application is allowed in terms of prayer clauses (b) to (d). Amendment to be carried out within six weeks.

**[ABHAY S. OKA, J.]**